

BOIES SCHILLER FLEXNER LLP  
 RICHARD J. POCKER (NV Bar No. 3568)  
 300 South Fourth Street, Suite 800  
 Las Vegas, NV 89101  
 Telephone: 702.382.7300  
 Facsimile: 702.382.2755  
 rpocker@bsflp.com

PAUL, WEISS, RIFKIND, WHARTON &  
 GARRISON LLP  
 WILLIAM A. ISAACSON (*pro hac vice*)  
 KAREN DUNN (*pro hac vice*)  
 2001 K Street, NW  
 Washington, DC 20006  
 Telephone: 202.223.7300  
 Facsimile: 202.223.7420  
 wisaacson@paulweiss.com  
 kdunn@paulweiss.com

BOIES SCHILLER FLEXNER LLP  
 SEAN P. RODRIGUEZ (*pro hac vice*)  
 BEKO O. REBLITZ-RICHARDSON (*pro hac vice*)  
 44 Montgomery Street, 41st Floor  
 San Francisco, CA 94104  
 Telephone: 415.293.6800  
 Facsimile: 415.293.6899  
 srodriguez@bsflp.com  
 brichardson@bsflp.com

MORGAN, LEWIS & BOCKIUS LLP  
 BENJAMIN P. SMITH (*pro hac vice*)  
 JOHN A. POLITO (*pro hac vice*)  
 SHARON R. SMITH (*pro hac vice*)  
 One Market, Spear Street Tower  
 San Francisco, CA 94105  
 Telephone: 415.442.1000  
 Facsimile: 415.442.1001  
 benjamin.smith@morganlewis.com  
 john.polito@morganlewis.com  
 sharon.smith@morganlewis.com

DORIAN DALEY (*pro hac vice*)  
 DEBORAH K. MILLER (*pro hac vice*)  
 JAMES C. MAROULIS (*pro hac vice*)  
 ORACLE CORPORATION  
 500 Oracle Parkway, M/S 5op7  
 Redwood City, CA 94070  
 Telephone: 650.506.4846  
 Facsimile: 650.506.7114  
 dorian.daley@oracle.com  
 deborah.miller@oracle.com  
 jim.maroulis@oracle.com

*Attorneys for Plaintiffs Oracle USA, Inc.,  
 Oracle America, Inc., and Oracle  
 International Corp.*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ORACLE USA, INC.; a Colorado corporation;  
 ORACLE AMERICA, INC.; a Delaware  
 corporation; and ORACLE INTERNATIONAL  
 CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;  
 and SETH RAVIN, an individual,

Defendants.

**Case No. 2:10-cv-0106-LRH-VCF**

**DECLARATION OF SEAN P.  
 RODRIGUEZ IN SUPPORT OF  
 ORACLE'S MOTION FOR  
 SANCTIONS PURSUANT TO  
 RULE 37**

**REDACTED**

1 I, Sean P. Rodriguez, declare as follows:

2 1. I am an attorney admitted to practice law in the State of California and before the  
3 Court in this action *pro hac vice*. I am a partner at Boies Schiller Flexner LLP, counsel of record  
4 for Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation  
5 (collectively “Oracle”) in this action. I have personal knowledge of the facts stated below and  
6 could and would testify to them if called upon to do so.

7 2. Attached as Exhibit A is a true and correct excerpted copy of a February 7, 2019  
8 letter from Eric Vandeveldel to Zachary Hill.

9 3. Attached as Exhibit B is a true and correct excerpted copy of Rimini’s Fourth  
10 Supplemental Response to Oracle’s Interrogatory No. 2 served on March 27, 2018 in *Rimini II*.

11 4. Attached as Exhibit C is a true and correct excerpted copy of the transcript from  
12 the February 23, 2018 deposition of Jim Benge in *Rimini II*.

13 5. Attached as Exhibit D is a true and correct excerpted copy of the transcript from  
14 the February 28, 2018 deposition of Richard Frank in *Rimini II*.

15 6. Attached as Exhibit E is a true and correct excerpted copy of Oracle’s Thirteenth  
16 Requests for Production served on September 20, 2017 in *Rimini II*.

17 7. Attached as Exhibit F is a true and correct excerpted copy of Rimini’s October 20,  
18 2017 Responses to Oracle’s Thirteenth Requests for Production in *Rimini II*.

19 8. Attached as Exhibit G is a true and correct excerpted copy of Rimini’s Amended  
20 Responses to Oracle’s Interrogatory No. 23 served on November 30, 2017 in *Rimini II*.

21 9. Attached as Exhibit H is a true and correct excerpted copy of a December 20, 2017  
22 letter from Eric Vandeveldel to Nicholas T. Herrera.

23 10. Attached as Exhibit I is a true and correct excerpted copy of a September 27, 2018  
24 letter from Beko Reblitz-Richardson to Eric Vandeveldel.

25 11. Attached as Exhibit J is a true and correct copy of a November 7, 2018  
26 letter from Beko Reblitz-Richardson to Eric Vandeveldel.

1           12. Attached as Exhibit K is a true and correct excerpted copy of a December 10, 2018  
2 letter from Eric Vandeveldel to Beko Reblitz-Richardson.

3           13. Attached as Exhibit L is a true and correct excerpted copy of an August 28, 2019  
4 letter from David R. Kocan to Eric Vandeveldel.

5           14. Attached as Exhibit M is a true and correct excerpted copy of a November 26,  
6 2019 letter from Jacob J.O. Minne to Jennafer M. Tryck. Exhibit D to this November 26, 2019  
7 letter is an Excel spreadsheet with [REDACTED] rows that would be over six hundred pages long if  
8 printed. Because this document would exceed the exhibit page limit, Exhibit D to the November  
9 26, 2019 letter is not attached hereto but can be made available upon request.

10           15. As explained in the November 26, 2019 letter, Oracle identified to Rimini [REDACTED]  
11 files distributed by Rimini using AFW TransferFiles that “cannot be matched to any part of the  
12 pathnames of similarly named files that Rimini has produced.” In light of subsequent meet and  
13 confers and further productions made by Rimini, and removing AFW code files and AFW debug  
14 files, Oracle has identified [REDACTED] of those files to be removed from Exhibit D. Attached as Exhibit  
15 N is a list of entries previously in Exhibit D that Oracle has removed. Oracle therefore now  
16 claims that Rimini has failed to produce at least [REDACTED] relevant files that Rimini sent to customers  
17 using TransferFiles.

18           16. Attached as Exhibit O is a true and correct copy of an August 21, 2019  
19 letter from David R. Kocan to Eric Vandeveldel.

20           17. Attached as Exhibit P is a true and correct copy of an October 1, 2019  
21 letter from Eric Vandeveldel to Kathleen Hartnett.

22           18. Attached as Exhibit Q is a true and correct excerpted copy of an October 2, 2019  
23 email from Eric Vandeveldel that includes the following description of the AFW file archiving  
24 tool: [REDACTED]

25 [REDACTED]

26 [REDACTED]

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DECLARATION OF SEAN P. RODRIGUEZ  
IN SUPPORT OF ORACLE'S MOTION FOR SANCTIONS

**CERTIFICATE OF SERVICE**

I certify that on July 10, 2020, I electronically transmitted the foregoing  
**DECLARATION OF SEAN P. RODRIGUEZ IN SUPPORT OF ORACLE'S MOTION  
FOR SANCTIONS PURSUANT TO RULE 37** to the Clerk's Office using the CM/ECF  
System for filing and transmittal of a Notice of Electronic Filing to all counsel in this matter; all  
counsel are CM/ECF registrants.

Dated: July 10, 2020

BOIES SCHILLER FLEXNER LLP

By: /s/ Ashleigh Jensen

Ashleigh Jensen